

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA

*Plaintiff,*

V.

1.828 ACRES OF LAND, MORE OR LESS,  
SITUATE IN STARR COUNTY, STATE  
OF TEXAS; MARIA CECILIA  
BENAVIDEZ, *ET AL.*,

*Defendants.*

CASE NO. 7:19-CV-030

## JOINT STIPULATION OF DISMISSAL AND TO DISBURSE FUNDS

## I. INTRODUCTION

1. On January 29, 2019, Plaintiff filed a Declaration of Taking ("Declaration") and Complaint in Condemnation for a twelve (12) month temporary easement for real property identified as Tracts No. RGV-RGC-4017 and RGV-RGC-4018 (hereinafter referred to as the "Property"). (Docket Nos. 1 and 2). The interest and property are more particularly described in Schedules "C", "D", and "E" of the Declaration (Docket No. 2).
2. On February 25, 2019, the United States deposited, one hundred 00/100 dollars (\$100), as just compensation into the Registry of the Court.
3. On November 26, 2019, attorney Marie D. Harlan on behalf of the Defendants, Maria Cecilia Benavides and Noel Benavides, agreed to and executed a Right of Entry and as such, this condemnation procedure is no longer necessary.

## II. DISMISSAL

4. The Plaintiff, United States of America, and the Defendants, Maria Cecilia Benavides and Noel Benavides, pursuant to Fed. R. Civ. P. 71.1(i)(1)(B), jointly stipulate to the dismissal of this case, without prejudice, each party to bear their own cost.

## III. DISBURSEMENT

5. The Plaintiff, United States of America, and the Defendants, Maria Cecilia Benavides and Noel Benavides, respectfully move this Court to disburse the sum remaining in the Registry of the Court, one hundred and 00/100 dollars (\$100), plus any accrued interest thereon, payable to the order of "F&A Officer, USAED, Fort Worth" The United States also respectfully requests that the check reference Tract Nos. RGV-RGC-4017 and RGV-RGC-4018.

Respectfully submitted,



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Respectfully submitted,

**RYAN K. PATRICK**

United States Attorney

Southern District of Texas

By: s/Manuel Muniz Lorenzi

**MANUEL MUNIZ LORENZI**

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**Certificate of Service**

I hereby certify that, on December 11, 2019, I mailed a true and correct copy of the foregoing document via regular mail to all the interested parties for whom the United States has contact information.

By: s/Manuel Muniz Lorenzi  
**MANUEL MUNIZ LORENZI**  
Assistant United States Attorney